



Legislation Details (With Text)

**File #:** 21-5560      **Version:** 1      **Name:**

**Type:** Discussion Item      **Status:** Passed

**File created:** 10/6/2021      **In control:** Commissioners Court

**On agenda:** 10/12/2021      **Final action:** 10/12/2021

**Title:** Request for discussion and possible action on the criminal case backlog including 1) update on the status of initiatives to reduce the backlog; 2) request to provide \$657,465 in ARPA funding for 31 temporary positions to process evidence at the DA as well as 3 programmer positions effective October 23, 2021, while they finalize the technology improvements needed to create a permanent solution; 3) request to approve \$1,637,519 in ARPA funding and positions for Associate Judges for the District Criminal Courts effective January 7, 2022.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 21-5560 100521 Criminal Backlog Update 10.7.21.pdf

Date	Ver.	Action By	Action	Result
10/12/2021	1	Commissioners Court		

**Department:** County Administration

**Department Head/Elected Official:** David Berry

**Regular or Supplemental RCA:**

- Regular RCA
- Supplemental RCA

**Type of Request:** Discussion Item

**Project ID (if applicable):** N/A

**Vendor/Entity Legal Name (if applicable):** N/A

**MWDBE Participation (if applicable):** N/A

**Request Summary (Agenda Caption):**

Request for discussion and possible action on the criminal case backlog including 1) update on the status of initiatives to reduce the backlog; 2) request to provide \$657,465 in ARPA funding for 31 temporary positions to process evidence at the DA as well as 3 programmer positions effective October 23, 2021, while they finalize the technology improvements needed to create a permanent solution; 3) request to approve \$1,637,519 in ARPA funding and positions for Associate Judges for the District Criminal Courts effective January 7, 2022.

**Background and Discussion:**

Based on the recommendations made by Justice Administration department and the direction by Court on 6/29/2021, there were several initiatives to be further developed and for which the final budget and reporting was to be brought back to Court

**Expected Impact:**

The overarching impact is expected to be greater efficiency in the functioning of the Criminal Justice System which includes a reduction in case backlog and average time to disposition of cases, as well as hopefully a lower number of individuals in jail awaiting hearing.

Specifically, for the Associate Judges positions, the intended goals and outcomes for the program are:

- a. To allow courts more opportunities to explore contested discovery matters.
- b. To allow courts more time for contested pretrial matters.
- c. To reduce time constraints on the judges from increased dockets.
- d. To alleviate time spent by judges on these matters so judges have more time for trials.

For the DA’s Evidence Management request, the temporary positions would allow the DA’s office to:

- 1. Clear the backlog of evidence for older cases (106K in Felony and 149K in Misdemeanor)
- 2. To keep abreast of the growing number of the items that the evidence team must process per year (up ~23% from last year for Felony and Misdemeanor cases)

The goal for programming staff is to help build a solution that allows for seamless intake, analysis and distribution of evidence from 86 law enforcement agencies to defense lawyers and the Courts and reduces the time to delivery of evidence as well as the need for permanent staff to process information.

**Alternative Options:**

These are initiatives that tackle the problem of resolving the criminal backlog by adding resources across the different departments and agencies. The alternative of not investing in the criminal justice processing system may result in a prolonged backlog that will likely take longer to clear.

**Alignment with Goal(s):**

- Justice and Safety
- Economic Opportunity
- Housing
- Public Health

- Transportation
- Flooding
- Environment

Governance and Customer Service **Prior Court Action (if any):**

A part of an ongoing discussion on Criminal Justice backlog that started 6/29/2021.

**Location:**

Address (if applicable list below):

Countywide

Precinct 1

Precinct 2

Precinct 3

<input type="checkbox"/> Precinct 4 <b>Fiscal and Personnel Summary</b>				
Service Name		FY 21-22	Estimates	
			FY 22	Next 3 FYs
<b>Incremental Expenditures</b>				
Labor Expenditures		\$2,065,468	\$5,992,020	\$10,341,954
Non-Labor Expenditures		\$229,516	-	-
<b>Total Incremental Expenditures</b>		<b>\$2,294,984</b>	<b>\$5,992,020</b>	<b>\$10,341,954</b>
<b>Funding Sources</b> (General Fund, PIC Fund, Debt or CP, Grants, or Other - Please Specify) ARPA				
Existing Budget		-	-	-
		-	-	-
		-	-	-
<b>Total Current Budget</b>		-	-	-
Additional Budget Requested	<b>ARPA</b>	\$2,294,984	\$5,992,020	\$10,341,954
		-	-	-
		-	-	-
<b>Total Additional Budget Requested</b>		<b>\$2,294,984</b>	<b>\$5,992,020</b>	<b>\$10,341,954</b>
<b>Total Funding Sources</b>		<b>\$2,294,984</b>	<b>\$5,992,020</b>	<b>\$10,341,954</b>
<b>Personnel</b> (Fill out section only if requesting new PCNs)				
Current Position Count for Service		-	-	-
Additional Positions Requested		127.5	127.5	127.5
<b>Total Personnel</b>		<b>127.5</b>	<b>127.5</b>	<b>127.5*</b>

*\*DA temporary positions requested for 1.5 years; programmers for 1 year; Associate Judges positions requested for two years*

**Anticipated Implementation Date:**

Associate Judges anticipated to start 01/07/2022

DA request for additional support - Temporary staff and programmers anticipated to start 10/23/2021.

**Emergency/Disaster Recovery Note:**

Not an emergency, disaster recovery, or COVID-19 related item

Emergency Item

COVID-19 related Item

Disaster Recovery related Item **Contact(s) name, title, department:**

Gayatri Garg, Director Performance Analysis, Office of Management and Budget

**Attachments (if applicable):**

See below for Associate Judges costs for District Courts. This assumes a start date of 01/07/2022.

District Courts

Expense Category	Department	Position Name	# of Staff	Total Salary from Memo	FY21-22*	FY22*	Out-years	Full Year Co
Salaries	District Court	Associate Judge	6	\$187,592	\$173,162	\$692,647	\$1,385,294	
Salaries	District Court	Coordinator	3	\$119,037	\$54,940	\$219,760	\$439,520	
Salaries	District Court	Court Reporter	3	\$162,410	\$74,958	\$299,833	\$599,666	
Equipment	District Court	Technology Equipment			\$35,652	\$0	\$0	
Salaries	District Attorney	Chief	6	\$180,006	\$166,159	\$664,637	\$1,329,274	
Salaries	District Attorney	Prosecutor 2	6	\$143,399	\$132,368	\$529,472	\$1,058,943	
Salaries	District Attorney	Prosecutor 3	6	\$122,973	\$113,513	\$454,053	\$908,105	
Salaries	District Attorney	Investigator	6	\$131,837	\$121,696	\$486,783	\$973,566	
Salaries	District Attorney	Paralegal	6	\$105,248	\$97,152	\$388,607	\$777,214	
Equipment	District Attorney	Equipment	30		\$150,000	\$0	\$0	
Salaries	District Clerk	Lead Clerk	6	\$71,496	\$65,996	\$263,985	\$527,970	
Salaries	District Clerk	Assistant Clerk	2	\$61,206	\$18,833	\$75,330	\$150,660	
Equipment	District Clerk	Equipment			\$43,864	\$0	\$0	
Salaries	Sheriff's Office	Bailiff	3	\$114,359	\$158,343	\$211,124	\$422,249	
Salaries	Community Supervision	Court Liaison Officer	4	\$224,273	\$138,014	\$138,014	\$276,028	
Salaries	Community Supervision	Assessment Officers	2	\$112,137	\$34,504	\$69,007	\$138,014	
Salaries	Community Supervision	PSI Writers	2	\$112,137	\$34,504	\$69,007	\$138,014	
Salaries	Community Supervision	Clinicians	1	\$79,558	\$12,240	\$48,959	\$97,917	
Salaries	Community Supervision	Clinical Supervisor	0.5	\$63,000	\$4,846	\$38,769	\$77,539	
Salaries	Community Supervision	Supervision Officer Assistant	1	\$44,043	\$6,776	\$27,103	\$54,206	
<b>Total</b>			<b>93.5</b>		<b>\$1,637,519</b>	<b>\$4,677,090</b>	<b>\$9,354,181</b>	

See below for costs for DA's personnel costs. Assumes a start date of 10/23/2021:

Expense Category	Department	Position Name	# of Staff	Total Salary and Benefits	FY21-22*	FY 22	Out-year
Salaries	District Attorney	Temporary Staff	31	\$53,123	\$506,712	\$1,013,423	\$950,084
Salaries	District Attorney	Programmers	3	\$163,316	\$150,753	\$301,506	\$37,688
Software							
			<b>34</b>		<b>\$657,465</b>	<b>\$1,314,930</b>	<b>\$987,773</b>

**Additional documents:**

- Evidence Management at DAO**
- CommCt AJ Program Status Letter 27 Sep 2021**
- DA 3441s**